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Letter dated 29 January 2001 from the Permanent Representative of Indonesia to the United Nations addressed to the President of the Security Council

On the instruction of my Government, with reference to the situation in East Timor and in light of the extension of the mandate of the United Nations Transitional Administration in East Timor (UNTAET), I have the honour to transmit the following:

1. The consideration by the Security Council of the activities of UNTAET, established through Council resolution 1272 (1999) for an initial period until 31 January 2001, affords a valuable opportunity for a candid self-appraisal by the Mission concerned, and an objective evaluation by the Council, of its strengths and weaknesses in order that it may continue in better stead in carrying out its important mandate.

2. Paragraph 7 of Security Council resolution 1272 (1999) stresses the importance of cooperation between Indonesia, Portugal and UNTAET in the implementation of the resolution. The Government of Indonesia has left no stone unturned in this endeavour and is firmly committed towards building a mutually beneficial and harmonious relationship with a future independent, democratic and stable East Timor. For Indonesia, the success of UNTAET in managing the transition process in East Timor cannot be a matter of fleeting interest. More than any other Member State of the Organization, for reasons of history and geography, and of societal links, Indonesia has a vital interest in seeing the successful completion of UNTAET's mandate.

3. It is in this context that the Government of Indonesia is fully committed to resolving all outstanding issues, including the question of East Timorese refugees currently still in the province of East Nusa Tenggara. To that end, Indonesia has consistently cooperated and will continue to exert all efforts to work in close cooperation with UNTAET, the Special Representative of the Secretary-General and Transitional Administrator for East Timor and the leaders of East Timor.

4. Over the past 15 months, effective channels of communication have been established between Indonesia and UNTAET at all levels of governance. During this period, Indonesia has welcomed frequent visits by the Special Representative of the Secretary-General and Transitional Administrator for East Timor and other high-ranking UNTAET officials, in Jakarta, Denpasar and Kupang. On all these occasions, representatives of UNTAET were able to

01-23063 (E) 290101

meet and discuss issues of common interest and concern with their Indonesian counterparts. The President of the Republic of Indonesia has shown an especially keen and sincere interest in facilitating the work of UNTAET. Conversely, representatives of the Government of Indonesia have enjoyed the close cooperation of their UNTAET counterparts on their visits to Dili.

5. The Government of Indonesia has worked to expand the channels of communication between UNTAET and Indonesia by regularly facilitating talks between representatives of UNTAET with the leadership of the House of Representatives (DPR) and the People's Consultative Assembly (MPR). In anticipation of a post-UNTAET East Timor, Indonesia has also invested in the promotion of links between East Timorese and Indonesians, official as well as other community leaders, and in governance as well as civil society. The pursuit of knowledge by thousands of East Timorese youths at Indonesian institutions of higher learning today symbolizes this positive reality.

6. The Government and people of Indonesia, therefore, have expended time in adjusting to the new realities in East Timor. This has not been accorded due recognition. Indeed, the promotion of policies that are beneficial to East Timor has not been limited to bilateral issues. A consistent theme in Indonesia's policy has been the effort to promote a conducive regional and global milieu for a future East Timor.

7. From the very outset, the Government of Indonesia has been cognizant of the myriad of issues that need to be addressed stemming from the transfer of authority over East Timor from Indonesia to the United Nations. The historic visit of the President of the Republic of Indonesia to Dili on 29 February 2000, only months after the changed status of East Timor, helped to identify some of these issues as contained in the joint communiqué.

8. Progress in the consideration of these issues, including restoration of archives, pensions for former civil servants, East Timorese students in Indonesian institutions of higher learning and cultural artefacts, should not be underestimated. Three rounds of Indonesia-UNTAET meetings have been held (Denpasar, 28 and 29 March 2000; Yogyakarta, 24 and 25 May 2000; and Surabaya, 4 and 5 July 2000) and a fourth round is scheduled to take place on 30 and 31 January 2001. These have been supplemented by innumerable intensive technical/working group-level meetings between Indonesia and UNTAET to discuss specific issues of concern. Working group-level visits have also been organized, including visits by Indonesian assets team to Dili, also by a joint Indonesia-UNTAET team to Indonesian institutions of higher learning, as well as by an UNTAET team to Jakarta on the issue of archives as they relate to land records. In all these areas, important progress has been achieved.

9. As an illustration and among the most satisfactory has been the progress in the discussions on the issue of East Timorese students in Indonesian institutions of higher learning. By the beginning of 2001, the continuation of the studies of hundreds of East Timorese students in Indonesian institutions of higher learning have been ensured through the provisions of Indonesian government scholarships: the Timor Loro Sae Scholarship funded by Japan and administered by the United Nations Development Programme (UNDP); and that of the Ford Foundation administered by the Indonesian International

Education Foundation (IIEF). The fear expressed by some regarding the security of East Timorese students in Indonesian institutions of higher learning has been proved to be unfounded.

10. The issue of pensions for former civil servants has also been the subject of intensive discussions. After nearly a year of delay, the Government of Indonesia is pleased that, in December 2000, UNTAET was finally able to provide the data and original filled-out forms of 3,497 East Timorese deemed eligible to receive pensions. The said data are currently being urgently verified by PT Taspen (Civil Servants Insurance Saving) before payments may be made.

11. As with many other residual issues, it is important to maintain a certain degree of circumspection and perspective. When progress is less than wished or hoped for, the explanations are often the more mundane ones rather than headline-grabbing ones involving "militia" or "refugees" or indeed, thinly veiled suggestions of ill intent. The Government of Indonesia is fully cognizant of the enormous internal organizational and institutional challenges faced by UNTAET. For its part, Indonesia remains committed to working constructively and diligently with UNTAET in comprehensively addressing the various issues that have arisen as a result of the transfer of authority.

12. Few issues better illustrate the many shared interests and concerns of the Government of Indonesia and UNTAET than the question of East Timorese refugees in East Nusa Tenggara. Over the past year, some 130,000 refugees have returned. Since the departure of the Office of the United Nations High Commissioner for Refugees (UNHCR) and other international humanitarian agencies from East Nusa Tenggara in the aftermath of the Atambua incident, Indonesia (the Task Force for the Settlement of the East Timorese refugees in East Timor) has facilitated the voluntary repatriation of some 4,000 refugees. This should be acknowledged. However, when some 150,000 refugees continue to languish at the camps in East Nusa Tenggara, economic, political, security and above all humanitarian considerations dictate continued and enhanced action by the Government of Indonesia.

13. The question of refugees should also be a matter of concern for UNTAET, by the implementation of action. Responsibility for the resolution of the East Timorese refugees issue is a shared one. To simplify the challenge as the issue of "militia" in the camps would guarantee only a partial solution. The Government of Indonesia has shouldered its share of its responsibility. Food, medicine and shelter have been provided. Also, as a result of its actions, arms and weapons have been effectively confiscated from the camps and security has been enhanced. This steady — indeed increasing — rate of spontaneous return of refugees in recent months attests to the fact that they are in fact able and willing to freely decide their future. In preparation of the formal registration of the refugees through which they would be able to decide to repatriate to East Timor or resettle in Indonesia, the Government of Indonesia is currently engaged in intensive dialogue and consultation with UNHCR, the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat (OCHA), the World Food Programme (WFP), UNDP and the International Organization for Migration (IOM). To facilitate their direct participation in this exercise, the Government of Indonesia is also currently

engaged in discussions with the Office of the United Nations Security Coordinator, through the designated official for the security of United Nations officials in Indonesia, to facilitate a visit by a United Nations team of experts which would assess the security rating for East Nusa Tenggara. The Government of Indonesia is awaiting the formal response of the Office of the United Nations Security Coordinator to such a security assessment visit.

14. Indonesia's efforts must be complemented. Contrary to suggestions, the situation in East Timor itself is in fact a matter of relevance to the return of refugees. Safety and security are a commonly expressed concern. So, too, is uncertainty surrounding the matter of property. The often-repeated call on Indonesia to improve the flow of information to the refugees or to eradicate, the "disinformation campaign" appears to have inadvertently encouraged inertia, less than the desired readiness to objectively acknowledge shortcomings. Clearly, the rate of refugee return is affected by the conditions not merely at the departure point, but also at the destination point. The Government of Indonesia stands ready to enhance direct and systematic cooperation with UNTAET in resolving this issue of common concern.

15. The Government of Indonesia reiterates its commitment to bring to justice those suspected of involvement in violations of human rights in East Timor as reflected in the ongoing work of the Office of the Attorney-General. Meanwhile, the trial of the six suspects involved in the killings of the three UNHCR humanitarian workers are also under way at the South Jakarta District Court. Concurrently, the trial of Mr. Eurico Guterres on charges of inciting weapons seizure on 24 September 2000 is taking place at North Jakarta District Court. In another notable development, Yakobus Berre is currently under police custody as a suspect in the killing of Private Manning.

16. Indonesia welcomes the renewed urgency with which UNTAET is promoting reconciliation among East Timorese. From the very outset, the Government of Indonesia has been consistent in its belief that reconciliation is key to the realization of a peaceful, stable, democratic and prosperous East Timor. In furtherance of this essential objective, on 18 and 19 December 2000, the Government of Indonesia helped facilitate a reconciliation meeting in Denpasar between the National Council of Timorese Resistance (CNRT) and *Uni Timor Aswain* (UNTAS). Further talks are being facilitated for March 2001.

17. While attention and effort have understandably focused on reconciliation between East Timorese within and outside East Timor, it would seem only prudent not to disengage from the situation in East Timor itself. Increased political activity as East Timor moves towards independence may sharpen political divisions which may in turn provoke violence. Indeed, in recent months, the Indonesian Government has followed with concern cases of disturbance, intimidation and indeed physical violence among East Timorese, including those targeted against returning refugees and against minorities in East Timor. A specific case in point is the case of intimidation and violence that took place during the first week of January 2001 at the Alor village, specifically against the Muslim minority. In addition, in an incident on 22 January 2001, a Pertamina (Indonesian State-owned oil company) security guard on duty drowned and died as a result of violence committed by a group

of men. Since this unfortunate incident, the Indonesian representative's office in Dili and Pertamina has been subject to threats of violence. The Government of Indonesia expects firm and resolute action on the part of UNTAET to urgently address this issue.

18. The Government of Indonesia reiterates its sincere commitment to working closely with UNTAET in fulfilling the successful completion of its important mandate.

It would be highly appreciated if the present letter could be circulated as a document of the Security Council.

(*Signed*) Makarim **Wibisono**
Ambassador
Permanent Representative